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THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

THE REGENTS OF THE UNIVERSITY OF
CALIFORNIA,

Plaintiff,

v.

MICRO THERAPEUTICS, INC., a Delaware
corporation, DENDRON GmbH, a German
corporation, and ev3 INC., a Delaware
corporation,

Defendant,

MICRO THERAPEUTICS, INC., a Delaware
corporation, and DENDRON GmbH, a German
corporation,

Third Party Plaintiffs,

v.

BOSTON SCIENTIFIC CORPORATION,
a Delaware corporation, and TARGET
THERAPEUTICS, INC. a Delaware corporation,

Third Party Defendants.

Case No. C 03 05669 JW (RS)

**JOINT STIPULATION AND [PROPOSED]
ORDER RE EXPERT DEADLINES**
[Civ. L. R. 6-2, 7-12]

Pursuant to Civil Local Rules 6-2 and 7-12, Plaintiff and Counterdefendant The Regents of the University of California (“The Regents”), Defendants and Third Party Plaintiffs Micro Therapeutics, Inc., Dendron GmbH and ev3 Inc. (collectively “MTI”), and Third Party Defendants Boston Scientific Corporation and Target Therapeutics, Inc. (collectively “Boston Scientific”) hereby stipulate and jointly request the following modification to expert deadlines.

The proposed schedule advances the deadline for all expert reply reports with the exception of MTI’s expert reply reports on invalidity. The parties propose extending MTI’s reply reports on invalidity by only three days. *See* accompanying Declaration of Patrick Premo filed in support of this stipulation (“Premo Decl.”) ¶ 4.

PRETRIAL / TRIAL ACTIVITIES	DEADLINES
<ul style="list-style-type: none"> L/D for MTI to supplement its Opening Expert Reports on Invalidity L/D for The Regents to serve Reply Expert Reports in response to MTI’s Rebuttal Reports being served on May 7, 2007 	May 21, 2007
<ul style="list-style-type: none"> L/D for MTI to serve Reply Expert Reports in Response to the Expert Rebuttal Reports of Boston Scientific and The Regents served on April 30 and May 3, 2007 L/D for The Regents to serve Reply Expert Report to MTI’s Rebuttal Report served on May 3, 2007 	May 25, 2007
L/D for The Regents to Exchange Rebuttal Expert Disclosures and Reports in response to MTI’s Opening and Supplemental Reports served on April 2 and May 21, 2007, respectively	June 11, 2007
L/D for MTI to serve Reply Expert Reports in response to The Regents’ Rebuttal Reports being served on June 11, 2007	June 25, 2007
L/D for Parties to Complete Expert Discovery	July 13, 2007

The Court and parties have made limited adjustments to fact and expert discovery in stipulations or orders filed on June 27, 2006 (Dkt. 344), January 12, 2007 (Dkt. 385), March 29, 2007 (Dkt. 532), and May 1, 2007 (Dkt. 622). The proposed modification will not impact hearing dates for scheduled motions for summary judgment, will not alter any other pretrial deadlines, and will not move the trial date, which is currently set for October 16, 2007. (Premo Decl. ¶¶ 4-5.)

Dated: May 10, 2007

By: /s/ Charlene M. Morrow

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THE REGENTS OF THE UNIVERSITY OF
CALIFORNIA

Dated: May 10, 2007

By: /s/ Michelle Umberger

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MICRO THERAPEUTICS, INC. and DENDRON GMBH

Dated: May 10, 2007

By: /s/ Roland H. Schwillinski

Roland H. Schwillinski (*Pro Hac Vice*)
GOODWIN PROCTER LLP
Attorneys for Third Party Defendants
BOSTON SCIENTIFIC and TARGET THERAPEUTICS,
INC.

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: May 10, 2007


The Honorable James Ware
United States District Judge

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